1 2 3 4 5 6 7 8 9	JOSEPH P. RUSSONIELLO (CASBN 44332) United States Attorney  BRIAN J. STRETCH (CASBN 163973) Chief, Criminal Division  CHAD M. MANDELL (ILBN 628783) Special Assistant United States Attorney  150 South Almaden Boulevard, Suite 900 San Jose, California 95113 Telephone: (408) 535-5061 Facsimile: (408) 535-5066 chad.mandell@usdoj.gov  Attorneys for the United States,		
11	IN THE UNITED STATES DISTRICT COURT		
	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
12			
13	UNITED STATES OF AMERICA,	) No. CR 09-70204 RS	
	,	)	
14	Plaintiff,	CTIDI II A TIONI AND IDVOIDED	
15	vs.	) STIPULATION AND [PROPOSED] ) ORDER CONTINUING HEARING	
		)	
16	BRIAN MATTHEW GARCIA,	)	
17	, Gilleri,	)	
	Defendants.	ý	
18		_	
19			
_	STI	PULATION	
20	The parties, by and through their respective counsel, hereby stipulate and agree that the		
21	tatus hearing currently set for Thursday, April 9, 2009 may be continued to Thursday, April 16,		
22			
- 1	2009 at 2:00 p.m. The reason for the requested continuance is to permit the parties to continue		
23	settlement negotiations and to accommodate scheduling conflicts of both counsel.		
24			
25	The parties further stipulate and agree that seven days may be excluded from the time		
ı	within which trial shall commence, as reasonable time necessary for effective preparation and		
26			
	Stipulation and [Proposed] Order Continuing Hearing, CR 09-70204 RS	1	

## Case 5:09-cr-00620-RMW Document 10 Filed 04/07/09 Page 2 of 2

1	continuity of counsel, taking into account the exercise of due diligence, pursuant to Title 18,		
2	<u> </u>		
3			
4	Date d. A		
5	Dated: April 7, 2009		
6	GEOFFREY BRAUN		
7	Defense Counsel		
8	Dated: April 7, 2009		
9	/s/ CHAD MANDELL		
10	Assistant United States Attorney		
11	[PROPOSED] ORDER		
12	Good cause appearing and by stipulation of the parties, it is hereby ordered that the status		
13	hearing of Thursday, April 9, 2009 shall be continued to Thursday, April 16, 2009 at 2:00 p.m.		
14	It is further ordered that seven days shall be excluded from the time within which trial		
15	shall commence under the Speedy Trial Act, as the reasonable time necessary for effective		
16	preparation and continuity of counsel, taking into account the exercise of due diligence, pursuan		
17	to Title 18, United States Code Section 3161(h)(8)(A) and (h)(8)(B)(iv).		
18	23, 2 = 10, 2 = 100 2 = 200 2 = 200 101 (13)(0)(12) und (13)(0)(12).		
19	Dated: April 7, 2009		
20	Dahicia V. Tumber		
21	PATRICIA V. TRUMBULL United States Magistrate Judge		
22	Cinica States Wagistrate Juage		
23			
24			
25			
26			
	Stipulation and [Proposed] Order Continuing Hearing, CR 09-70204 RS 2		